

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 18-1626

Alexander Y. Usenko, Derivatively on Behalf of the SunEdison Semiconductor Ltd. Retirement
Savings Plan

Plaintiff - Appellant

v.

MEMC LLC; The Investment Committee of the SunEdison Semiconductor Retirement Savings
Plan

Defendant - Appellee

John Does 1-10

Defendant

Hemant Kapadia; Penny Cutrell; Steve Edens; Karen Steiner; Cheng Yang; Ben Llorico

Defendants - Appellees

Appeal from U.S. District Court for the Eastern District of Missouri - St. Louis
(4:17-cv-02227-AGF)

JUDGMENT

Before BENTON, MELLOY and KELLY, Circuit Judges.

This appeal from the United States District Court was submitted on the record of the district court, briefs of the parties and was argued by counsel.

After consideration, it is hereby ordered and adjudged that the judgment of the district court in this cause is affirmed in accordance with the opinion of this Court.

June 04, 2019

Order Entered in Accordance with Opinion:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans